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February 16, 2017

Dear Committee Members:

I am sorry that I could not appear before you today. A busy docket that could not be adjourned, is keeping me away.

This is such an important issue, not just to me, but to all of our senior judges and the public. I wanted a chance to tell you my opinion on the matter.

As you may know, I will be seventy years old in April which makes me constitutionally ineligible to run again for my Judgeship. As a last resort, last year, I ran against a fellow judge to try to extend my time on the bench. Unfortunately for me, but fortunately for my bench mate, I lost. However, I think it is ironic that after I am off the bench, I will be free to sit on any bench in Michigan as a visiting judge until I die! My argument is, if I am competent enough to do that, why aren't I able to have the "choice" to continue on my current bench?

Federal judges serve for life, or as long as they wish. Why is it Constitutional to discriminate against State judges based on age? I believe that provision of our State Constitution is, in fact, unconstitutional and should be removed.

Being a judge requires patience, good judgment, the ability to be kind to people as well as tough. It also requires an understanding of human nature, a thorough understanding of the criminal justice system, as well as the law, family dynamics, and a lot of just plain old life experience and common sense. Just like choosing a physician, you want someone that has done more than a couple of operations.

Without pension benefits, it is becoming less likely that good attorneys are attracted to a judgeship. Most good attorneys make far more than a judge; so why become a judge? For me it was my desire to do public service and to offer my ability to be fair and unbiased and to follow the Rule of Law. It was never about the compensation, but it was difficult to make far less than my lawyer earnings.

Age to me is just a number. I want to be that person at a hundred that ran a 5K race. At my present age, I am very healthy and active. I intend to work until my health prevents it. I have a lot of wisdom and experience and I truly enjoy serving the public as their judge. During my ten years on the bench, I have helped establish a concurrent jurisdiction court and have sat as a Circuit Court judge on divorce and criminal matters. I have also applied for and received grants to establish and run a mental health court, and a Veterans' Court, as well as assisting in the establishment of a non-profit foundation to support the Veterans' Court needs. I am not ready to have to step off the bench, but I am being forced to do so.

What has happened to the concept of choice to work? If you like what you do, as I do, why should you be forced to stop, yet continue filling in for others? It makes no sense. Many of our current judges still wish to work as long as they are capable, why not let them.

The health issue can apply at any age, not just to those over seventy. If a judge has health issues that prevent them from serving, it does not matter the age, it is addressed. If the public does not want a judge to continue to serve, an election can cure the issue. We should not be forced to run against a fellow judge to try to extend our time on the bench. It was difficult.

Therefore, my wish is that the Constitution be changed to eliminate the age limit. Keep our experienced judges, if they have a desire to serve. It is a tough and important position; however, our State Court decisions will never be as important as the United States Supreme Court Judges and they serve for life. It makes no sense.

Thank you for this opportunity to address you.

Sincerely,

Honorable Carol Sue Reader
Livingston County Judge